

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

**JORGE PACHECO,**  
*on behalf of himself and class of similarly  
situated individuals*

ECF CASE

**Plaintiffs,**

**18 Civ. 6907 (JMF)(GWG)**  
**[rel. 18 Civ. 251]**

**against-**

**CHICKPEA AT 14TH STREET INC.,  
CHICKPEA AT HOUSTON INC.,  
CHICKPEA AT LIC, INC.,  
CHICKPEA AT PENN INC.,  
CHICKPEA INTERNATIONAL INC.,  
CHICKPEA ON 6TH AVENUE INC.,  
CHICKPEA WORLD LLC,  
C P AT LEXINGTON AVENUE  
INCORPORATED  
d/b/a CHICKPEA,  
C P AT MADISON AVENUE  
INCORPORATED  
d/b/a CHICKPEA,  
ALIMADE LLC d/b/a CHICKPEA,  
and AKBARALI HIMANI,**

**DEFENDANTS' NOTICE OF  
MOTION TO DISMISS  
PLAINTIFF'S AMENDED  
COMPLAINT PURSUANT  
TO FEDERAL RULES OF  
CIVIL PROCEDURE 12(b)(6)**

**Defendants.**

-----X

PLEASE TAKE NOTICE that, upon the attached Memorandum of Law of Defendants CHICKPEA AT 14TH STREET INC., CHICKPEA AT HOUSTON INC., CHICKPEA AT LIC, INC., CHICKPEA AT PENN INC., CHICKPEA INTERNATIONAL INC., CHICKPEA ON 6TH AVENUE INC., CHICKPEA WORLD LLC, CP AT LEXINGTON AVENUE INCORPORATED d/b/a CHICKPEA, CP AT MADISON AVENUE INCORPORATED d/b/a CHICKPEA, ALIMADE LLC d/b/a CHICKPEA, and AKBARALI HIMANI (**hereinafter referred to as "Defendants"**), dated November 29 2018, the Declaration of Lee Nuwesra in Support of Defendants' Motion to Dismiss, dated November 29, 2018, the attached Exhibits 1-7, and all other

pleadings and proceedings had herein, Defendants will move this Honorable Court at the Thurgood Marshall Courthouse, Court Room 1105, located at 40 Centre Street, New York, New York, at a time and date to be set by the instant Honorable Court, for an Order pursuant to the Federal Rules of Civil Procedure 12(b)(6), dismissing the Amended Complaint of Plaintiff Jorge Pacheco in its entirety, with prejudice, and granting any further relief this Court may deem just and proper including but not limited to Attorney's Fees, and costs.

PLEASE TAKE FURTHER NOTICE, that a copy of any papers in opposition to this Motion shall be served on Defendants, at the address stated below in accordance with the Federal Rules of Civil Procedure, and the Local Rules of the Southern District Court of New York.

Dated: New York, New York  
November 29 2018

LAW OFFICES OF LEE NUWESRA

By: \_\_\_\_\_/s/  
 Lee Nuwesra, Esq.  
*Attorney for Defendants*  
 Law Offices of Lee Nuwesra  
 One Grand Central Place  
 60 East 42nd Street, Suite. 1132  
 New York, NY 10165  
 Tel. #: (212) 370-8707  
 Email: lnuwesra@optonline.net

To: C.K. Lee, Esq.  
Email: [cklee@leelitigation.com](mailto:cklee@leelitigation.com)  
William Brown, Esq.  
Email: [will@leelitigation.com](mailto:will@leelitigation.com)  
Anne Melissa Seelig, Esq.  
Email: [anne@leelitigation.com](mailto:anne@leelitigation.com)  
LEE LITIGATION GROUP, PLLC  
*Attorneys for Plaintiff*  
30 East 39th Street, Second Floor  
New York, NY 10016  
Tel.: (212) 465-1188